

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-6, 13, 14, 16, 18, and 20-23 are pending in the present application. Claims 1 is the sole independent claim.

Claims 7-12, 15, 17, and 19 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. No new matter has been added.

The Office Action objected to the Specification on formal grounds. In response, Applicants have amended the Specification in the manner kindly suggested by the Examiner.

Favorable consideration is respectfully requested.

Claims 1, 2, 5, 6, 14-18, 22, and 23 were rejected under 35 U.S.C. § 103(b) as being anticipated by U.S. Patent No. 5,482,115 (Ikeya et al.). Claims 3, 4, 20, and 21 were 35 U.S.C. § 103(a) as being unpatentable over Ikeya et al. and further in view of U.S. Patent Publication No. 2003/0159814 (Sin et al.). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, bending a first coolant tube at a first position and a second coolant tube at a second position, the first and second positions spaced apart at different levels relative a first position along a first axis, to form first and second horizontal parts of the first and second coolant tubes, respectively.

Applicants respectfully submit that neither Ikeya et al. nor Sin et al. teaches or suggests at least the aforementioned features of independent claim 1. Accordingly, without conceding the propriety of the asserted combination, the asserted combination is likewise deficient, even in view of the knowledge of one of ordinary skill in the art.

Ikeya et al. relates to a heat exchanger and plate fin therefor and discusses a process of manufacturing a heat exchanger. The process includes bending a heat exchanger 1 using an upper jig 21 and a lower bending jig 22. The upper jig is stationary and the lower bending jig is flat. To bend the heat exchanger, the lower bending jig is moved to follow the curved surface of the upper jig. (Ikeya et al., Col. 5, lines 41-49; FIG. 7a). Also, Ikeya et al. teaches that the heat exchanger includes two cooling tubes 8a and 8b.

The Office Action contends that the aforementioned features of independent claim 1 are met by the jigs of Ikeya et al. and FIG. 7b of Ikeya et al. is cited for support. This contention is respectfully traversed.

A review of Ikeya et al. reveals that since the heat exchanger 1 is bent around the upper jig 21, both alleged coolant tubes 8a and 8b, which are in the heat exchanger, are bent around the same upper jig 21. (Ikeya et al., FIG. 7a). Thus, Ikeya et al. does not teach at least the aforementioned features of independent claim 1.

Accordingly, favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

Regarding the rejection of claims 3, 4, 13, 20, and 21 under 35 U.S.C. § 103, Sin et al. relates to a heat exchanger for a refrigerator and is cited for its alleged disclosures of various features of these dependent claims. Applicants respectfully submit that Sin et al. does not add anything to the disclosures of Ikeya et al. that would remedy the aforementioned deficiency. Thus, the asserted combination is deficient.

Accordingly, favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

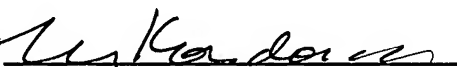
There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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